

cal_____

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PHILIP MARTINET, individually and on behalf of all others similarly situated,)	Civil No.08cv0381 L (AJB)
)	
Plaintiff,)	
v.)	ORDER FOLLOWING EARLY
)	NEUTRAL EVALUATION
T-MOBILE USA, INC., a Delaware Corporation,)	CONFERENCE
)	
Defendants.)	
_____)	

On September 3, 2008, the Court convened an Early Neutral Evaluation Conference in the above entitled action. Appearing were Mark Knutson, Esq., Joe Dicks, Esq. and Philip Martinet on behalf of plaintiff; Jared Toffer, Esq., Meryl L. Young, Esq. and Melissa Scanlan on behalf of defendant.

Settlement could not be reached. An issue with regard to Mr. Martinet's standing exists and plaintiff's counsel will review the information provided at the conference and consider their position in this regard. The Court will hold a telephonic Settlement Status Conference on **September 23, 2008 at 11:00 a.m.** Plaintiff's counsel will set up the call at that time. At that time, the Court and counsel will discuss the issue as to standing, and what scheduling or procedures would be best going forward.

///

///


///

///

1 In the interim, defendant will provide the scripts and notice program information to plaintiff's
2 counsel. This information will be provided as confidential, and plaintiffs will not disclose, disseminate
3 or distribute the information pending further Court order.

4
5 IT IS SO ORDERED.

6
7 DATED: September 4, 2008

8 
9 Hon. Anthony J. Battaglia
10 U.S. Magistrate Judge
11 United States District Court
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28